

REMARKS

The Office Action dated April 19, 2004 has been received and carefully noted. The above amendments to the Abstract, Drawings, and claims, and the following remarks, are submitted as a full and complete response thereto.

Upon entry of this Response, claims 1-13 will be pending in the present application. Claims 1 and 9-13 are independent claims. Claims 10-13 have been added. Claims 1-9, the Abstract, and the Drawings have been amended. However, claims 1-9, the Abstract, and the Drawings have been amended exclusively for the purpose of clarity and have not been amended in view of any prior art. Support for the subject matter recited in new claims 10-13 may be found throughout the specification of the present application. No new matter has been added. Claims 1-13 are respectfully submitted for consideration.

Objection to the Drawings:

Figures 1-2 and 5 were objected to because Figures 1 and 2 were not designated by a legend such as "Prior Art" and because step 54 in Figure 5 did not appear to indicate what happens if "No" was selected. Applicants respectfully submit that the changes made to Figures 1-2 and 5 in the three sheets of corrected drawings attached hereto directly address the issues raised in the Office Action and render the present objection to the drawings moot. Applicants also point out that the changes made to Figures 1-2 and 5 have not been made in view of any prior art. Further, Applicants point out that the modification of Figure 5 is supported at least by the subject matter recited in claim 8 of

the originally-filed application. At least in view of the above remarks and attached sheets of corrected drawings, reconsideration and withdrawal of the objection to the drawings is respectfully requested.

Rejection of the Specification:

The Abstract of the disclosure was objected to due to informalities. Applicants respectfully submit that the attached Replacement Abstract directly addresses the issues raised in the Office Action and renders the objection to the Abstract moot. Applicants also respectfully point out that the Abstract was not amended in view of any prior art. At least in view of the above amendment of the Abstract and remarks, reconsideration and withdrawal of the objection to the Abstract of the disclosure is respectfully requested.

Objection to Claims 1-9 due to Informalities:

Claims 1-9 were objected to due to informalities. Applicants respectfully submit that the above amendment of claims 1-9 directly addresses all of the issues raised in the Office Action and renders the objection to claims 1-9 due to informalities moot.

In the Office Action, it was alleged that the terms “probable” and “likely”, recited in claims 1 and 9 of the present application, respectively, are vague and should be clarified. Applicants respectfully disagree, and submit that these claims are in compliance with U.S. patent practice.

Applicants first point out that the method of claim 1 recites that, when a mobile station’s routing area is being updated, at least one support node delays data transmission until a predefined condition is fulfilled. Claim 1 also recites that, upon fulfillment of the

predefined condition, it is at least probable that the second support node has at its disposal the context data of the mobile station.

Applicants respectfully submit that, if the phrase “it is at least probable that” was deleted from lines 14-15 of claim 1, claim 1 could be interpreted as reciting that, upon the fulfillment of the predefined condition, the second support node would, with certainty, have at its disposal the mobile station’s context data. However, since one of skill in the art understands that the first support node cannot be certain that the second support node has at its disposal the mobile station’s context data, Applicants respectfully submit that deleting the above phrase would render claim 1 incorrect. This probability is discussed in the specification and would be understood by a person of skill in the art to be a clear recitation of the invention.

Claim 9 recites observing fulfillment of a condition indicating that a second support node is at least likely to have at its disposal context data of the mobile stations. In view of the above discussion of claim 1, Applicants also respectfully submit that deleting “at least likely” from claim 9, could also render claim 9 incorrect. The likelihood is a clearly discussed aspect of the invention.

Applicants point out that, as disclosed from page 7, line 24, to page 9, line 13, of the present specification, according to certain embodiments of the claimed invention, the condition recited in claims 1 and 9 may be that a predetermined period of time has expired since an old support node sent a mobile station’s context data to a new support node. As would be understood by one of skill in the art, in order to achieve certainty that

the new support node has received the context data, the old support node may have to wait indefinitely, because the network may be congested. Therefore, one of skill in the art understands that, at best, the first support node can only know that it is “likely” or “probable” that the second support node has at its disposal the mobile station’s context data. Therefore, Applicants respectfully submit that, in the context of claims 1 and 9, the terms “likely” and “probable” are not vague.

Also, according to embodiments of the claimed invention such as those recited in claim 6, the first support node waits for a separate acknowledgement message from the second support node. Applicants respectfully submit that, by virtue of the separate acknowledgement message, the first support node can be certain that the second support node has the context data. However, Applicants respectfully submit that the absence of a specifically recited certainty or probability percentage that the second support node has the data does not make either claim 1 or 9 indefinite. Rather, the scope of these claims can be determined with reasonable clarity by the existence of the condition and the fact that one support node delays data transmission until said condition is fulfilled.

At least in view of the above remarks and amendments to claims 1-9, reconsideration and withdrawal of the objection to claims 1-9 due to informalities is respectfully requested.

Rejection of Claims 1, 3-6, and 8-9 Under 35 U.S.C. § 112, Second Paragraph:

Claims 1, 3-6, and 8-9 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully submit that the above amendments to claims 1,

3-6, and 8-9 directly address all of the issues raised in the Office Action and render the objection of claims 1, 3-6, and 8-9 under 35 U.S.C. § 112, second paragraph, moot. Applicants also point out that the amendments to claims 1, 3-6, and 8-9 were not made in view of any prior art.

With respect to claim 1, Applicants point out that antecedent basis for “the context”, recited in line 15 thereof, may be found on line 9 and that antecedent basis for “the routing area”, recited on line 17, may be found on line 2. Also, with respect to claim 6, Applicants point out that antecedent basis for “the context date”, recited in line 5 thereof, may be found on line 9 of claim 1.

At least in view of the above amendment of claims 1, 3-6, and 8-9 and remarks, reconsideration and withdrawal of the rejection of 1, 3-6, and 8-9 under 35 U.S.C. § 112, second paragraph, is respectfully requested.

Allowable Subject Matter:

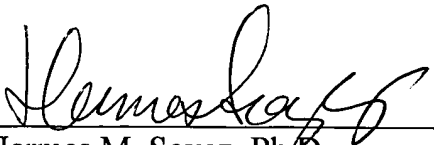
Applicants thank the Examiner for acknowledging that claims 1-9 would be allowable over the prior art of record.

Applicants respectfully submit that all of the comments included in the Office Action have been addressed and that all of the objections and rejections included in the Office Action have been overcome. Hence, Applicants further submit that, at least in view of the above, claims 1-13 of the present application contain allowable subject matter. Therefore, it is respectfully requested that all claims pending the present application be allowed, and that this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,


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Enclosures: 3 Sheets of Corrected Drawings
Replacement Abstract
Additional Claim Fee Sheet